

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LB883**

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**Hearing Date:** February 06, 2008

**Committee On:** Health and Human Services

**Introducer(s):** (Johnson)

**Title:** Exempt certain public recreation facilities, centers, and programs from child-care licensure

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**Roll Call Vote - Final Committee Action:**

Placed on General File

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**Vote Results:**

7 Yes	Senators Erdman, Gay, Hansen, Howard, Johnson, Pankonin, Stuthman
0 No	
0 Absent	
0 Present, not voting	

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**Proponents:**

Senator Johnson  
Gary Krumland  
Virgil Horne  
Lynn Johnson

**Representing:**

Introducer  
League of Nebraska Municipalities  
Lincoln Public Schools  
City of Lincoln Parks and Recreation  
Department

**Opponents:**

Jeff Cole  
  
Barry Gourley

**Representing:**

Nebraska Community Learning Center  
Network  
Family Service

**Neutral:**

**Representing:**

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**Summary of purpose and/or change:**

LB 883 relates to the licensure of child care programs. The bill exempts “a recreation facility, center, or program operated by a political or governmental subdivision pursuant to the authority provided in section 13-304” from licensure requirements under the Child Care Licensing Act (act).

LB 994 (2006) changed the definition of “program” under the act, and inadvertently resulted in the licensure of recreational programs that had not previously been required to be licensed.

Section 13-304, in full, provides that “Any city, village, school district, township, or county shall have the power to join with any other political or governmental subdivision, with any agency or public corporation, whether federal, state, or local, or with any number or combinations thereof by contract or otherwise in the joint ownership, operation, or performance of any property, facility, power, or function or in agreements containing the provisions that one or more thereof operate or perform for the other or others, this power as set forth in this section to be only for the express purpose of acquiring, holding, improving, and operating any park, playground, swimming pool, recreation center, or other recreational use or facility. Each such political or governmental subdivision shall also individually have power to acquire, hold, improve, and operate any park, playground, swimming pool, recreation center, or other recreational use or facility. For the exercise of the powers set forth in this section, each such political or governmental subdivision shall have the power to levy a tax, to be known as a park and recreation tax, upon all the taxable property in its jurisdiction. This levy may be accumulated as a sinking fund from fiscal year to fiscal year to provide funds for the purpose of acquisition, holding, improvement, and operation of any park, playground, swimming pool, recreation center, or other recreational use or facility.”

**Explanation of amendments, if any:**

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Senator Joel Johnson, Chairperson